

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

BAVARIAN NORDIC A/S,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 05-614 (SLR)
	)	
ACAMBIS INC. and	)	
ACAMBIS, PLC,	)	
	)	
Defendants.	)	
_____	)	

**NOTICE OF SUBPOENA TO BERNARD MOSS**  
**PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 45**

PLEASE TAKE NOTICE that, pursuant to Rule 45 of the Federal Rules of Civil Procedure, Plaintiff Bavarian Nordic A/S ("Bavarian Nordic"), will take the deposition upon oral examination of Bernard Moss. The deposition will commence on July 19, 2006 at 9:00 a.m. at the offices of Bingham McCutchen LLP, 3000 K Street, N.W., Suite 300, Washington, D.C. 20007.

NOTICE IS FURTHER GIVEN THAT the deposition may be recorded stenographically through instant visual display of testimony (real-time), by certified shorthand reporter and notary public or such other person authorized to administer oaths under the laws of the United States, and shall continue from day to day until completed. This deposition may be videotaped.

NOTICE IS FURTHER GIVEN THAT Bernard Moss is instructed to produce documents, identified in the attached Subpoena, at the offices of Bingham McCutchen LLP, 3000 K Street, N.W., Suite 300, Washington, D.C. 20007 by 9:00 a.m. on July 19, 2006.

NOTICE IS FURTHER GIVEN THAT pursuant to the Federal Rules of Civil Procedure, Bavarian Nordic has served upon Bernard Moss a Subpoena in a Civil Case on July 6, 2006. Attached hereto as Exhibit A is a true and correct copy of that Subpoena.

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ D. Fon Muttamara-Walker  
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-and-

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*Attorneys for Plaintiff Bavarian Nordic*

Dated: July 7, 2006

**CERTIFICATE OF SERVICE**

I, D. Fon Muttamara-Walker, Esquire, hereby certify that on this 7th day of July, 2006, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

Mary B. Graham [mbgefiling@mnat.com]  
James Walter Parrett, Jr. [jparrett@mnat.com]  
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(302) 658-9200

I further certify that on this 7th day of July, 2006, I caused a copy of the foregoing document to be served on the above-listed counsel and on the following non-registered participants in the manner indicated:

**By E-Mail and Hand Delivery**

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